

REMARKS

The Examiner has identified two species of the invention: Species I (Figure 3 and claims 1-16) and Species II (Figure 29 and claims 17-28). Applicants respectfully traverse the restriction and request reconsideration.

Applicants assert that all claims of the application have already been previously examined, and a search of the prior art has been previously performed as to all claims. There is no hardship on the Examiner to continue with the current prosecution of all pending claims.

The Examiner asserts that claims 17-28 of Species II are directed to finding the distance between grey levels of pixels, while claim 1-16 of Species I are directed to spot extraction using filtering and fuzzy segmentation.

Applicants respectfully submit that claims 25-28 have been misidentified by the Examiner as belonging to Species II. A review of these claims reveals claim limitations directed to spot extraction using filtering and fuzzy segmentation as recited in Species I. While claims 25 and 26 include limitations directed to finding the distance between grey levels of pixels, Applicants point out that dependent claim 6, which depends from claim 1 in Species I, also includes a limitation directed to finding the distance between grey levels of pixels. Applicants request inclusion of claims 25-28 in Species I.

Applicants provisionally elect Species I, which is believed to include claims 1-16 and 25-28.

With respect to claims 17-24, Applicants request that the Examiner withdraw the restriction and consider these claims. Given the presence of dependent claim 6, as well as the inclusion of claims 25-28 in Species I, there is no reason to restrict out claims 17-24.

CUSTOMER NO. 32914

PATENT APPLICATION
Docket No. 64659-2USPX

In view of the foregoing, Applicants respectfully submit that the application is in condition for favorable action and allowance.

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Respectfully submitted,

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